

104TH CONGRESS
2D SESSION

H. CON. RES. 175

Expressing the intention of the Congress with respect to the collection of fees or other payments from the allocation of toll-free telephone numbers.

IN THE HOUSE OF REPRESENTATIVES

MAY 10, 1996

Mr. FRISA (for himself, Mr. KING, Mr. TAUZIN, Mr. COBURN, Mr. FIELDS of Texas, Mr. KLINK, and Mr. WELLER) submitted the following concurrent resolution; which was referred to the Committee on Commerce

CONCURRENT RESOLUTION

Expressing the intention of the Congress with respect to the collection of fees or other payments from the allocation of toll-free telephone numbers.

1 *Resolved by the House of Representatives (the Senate*
2 *concurring),*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Telephone Number
5 Ownership Act of 1996”.

6 **SEC. 2. FINDINGS.**

7 The Congress finds that—

8 (1) under existing law, the Federal Communica-
9 tions Commission is the administrator, not the

1 owner, of telephone numbers, and has no authority
2 to auction, or impose user fees for, any number
3 within the North American Numbering Plan, nor
4 does any other Federal agency;

5 (2) auctions of toll-free numbers will increase
6 consumer fraud and confusion by allowing competi-
7 tors to profit from the established reputation associ-
8 ated with existing toll-free numbers;

9 (3) there are a total of 21 countries in the
10 North American Numbering Plan, including the
11 United States of America, Canada, and most Carib-
12 bean countries, and decisions affecting universally
13 available toll-free numbers should not be made with-
14 out a consensus among the participating nations;

15 (4) the value of a toll-free telephone number is
16 derived solely from the efforts of the holder to create
17 value in it; and

18 (5) the right of first refusal for companies with
19 toll-free numbers that have become a unique brand
20 identity will ensure that customers reach their in-
21 tended service provider.

22 **SEC. 3. SENSE OF THE CONGRESS.**

23 It is the sense of the Congress that—

24 (1) the Federal Communications Commission
25 lacks legal authority to conduct auctions or other

1 revenue raising activities in connection with the allo-
2 cation of any number within the North American
3 Numbering Plan;

4 (2) if the Congress is to authorize such activi-
5 ties, procedures will be required—

6 (A) to protect any value attaching to new
7 toll-free numbers by reason of a private busi-
8 ness investment in the advertisement or public
9 awareness of the corresponding 800 number, by
10 granting a right of first refusal or other protec-
11 tion to the subscriber to that corresponding 800
12 number;

13 (B) to prevent unjust enrichment and ineffi-
14 cient use of toll-free numbers by measures de-
15 signed to prevent speculation, hoarding, and
16 other “gaming” of the allocation system; and

17 (C) to protect consumers from fraud and
18 confusion by preventing the misrepresentation
19 of established toll-free numbers; and

20 (3) the Federal Communications Commission
21 should submit to the Congress a plan for the alloca-
22 tion of toll-free 888 numbers that contains proce-
23 dures described in paragraph (2), together with its

- 1 recommendations for legislative authorization of
- 2 such allocation.

